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## **POLITICS:**

### **Even Waxman's ideological foes lament departure of wily legislative veteran**

Nick Juliano and Elana Schor, E&E reporters

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In addition to depriving the Capitol of one of its liberal firebrands, Henry Waxman's coming retirement, which the California Democrat announced yesterday, will leave Congress without a four-decade veteran who knew how to cut a deal.

While partisan rancor has left Congress largely unable to pass significant legislation for the past several years, Waxman's long career features his imprint on a bevy of bipartisan legislation, including the 2007 and 2005 energy bills and the 1990 amendments to the Clean Air Act.

To be sure, he also was more than willing to rely on mostly Democrats in pursuit of his top priorities when he chaired the Energy and Commerce Committee for one Congress -- addressing climate change and expanding access to health care. But even some of the harshest critics of those policies say Congress will suffer with Waxman's absence.

Rep. Joe Barton (R-Texas), who was Waxman's frequent foil during the Democrat's two-year run as energy chairman, expressed deep admiration for Waxman and said his loss would be felt on the committee.

"When you're up against Henry Waxman, you're up against the A team, and that's what the Energy and Commerce Committee is all about," Barton said in a brief interview yesterday at the House Republican retreat in Cambridge, Md. "We take the big issues and we debate them, and when things work right we come up with solutions that are bipartisan."

Barton, a former Energy and Commerce chairman, recalled working with Waxman on legislation to reform offshore drilling regulations in the wake of the 2010 oil spill in the Gulf of Mexico. The bill passed unanimously out of committee, although it was slimmed down before being included in a broader bill that hit the House floor that summer.

At the time, Barton became emotional during a markup as he declared the legislation an example of "the committee at its finest" ([E&ENews PM](#), July 15, 2010). He reiterated that sentiment yesterday.

"That was one of the best things I ever worked on," he recalled, heralding its bipartisan support. "And that's because Henry wanted to work with me and the Republicans and make it work."

One of Congress' most ardent environmentalists, Waxman still earned the respect of his critics, who praised his interest in working across the aisle and willingness to make a deal.

"While we frequently had policy disagreements with him, there was always a feeling that Mr. Waxman desired to reach agreement that advanced his objectives, even if he had to give on some points," said Scott Segal, a lobbyist with the Washington-based firm Bracewell & Giuliani who represents a variety of industries and has often testified before Congress.

Segal added that the dealmaking instinct will be in shorter supply once Waxman is gone.

"Waxman's desire to negotiate and reach outcomes with some bipartisan input is a lesson almost completely missed by the current environmental leaders," he said. "Frankly, I'm going to miss him."

However, in a slightly ironic twist, Waxman's upcoming departure could improve the prospects for at least one long-stalled piece of bipartisan legislation.

One senator working on the energy efficiency bill named for its co-sponsors, Sens. Jeanne Shaheen (D-N.H.) and Rob Portman (R-Ohio), said on condition of anonymity that Waxman's retirement could bode well for the legislation's passage in the next Congress. One of the biggest sticking points holding up votes on the measure, this senator said, was Waxman's resistance to a proposed amendment from Sens. John Hoeven (R-N.D.) and Joe Manchin (D-W.Va.) that would roll back building efficiency standards Waxman added to the 2007 energy law.

News of Waxman's exit quickly rippled through Washington, D.C., where he has been a fixture since winning election to the House as one of the "Watergate babies" in 1974.

"I can't imagine the House without Henry Waxman," said Portman, a former member of the lower chamber.

"One of the great voices for the environmental cause has been lost," Sen. Lindsey Graham (R-S.C.), who briefly attempted to take comprehensive climate legislation through the upper chamber, added in an interview. "He was a proud liberal and a good man."

Some Republicans were more willing to read political motivations into Waxman's decision, although the Democrat said fear of remaining in the House minority did not play into his thinking.

"It's clearly a surrender by Democrats in the House to realize they have zero chance of capturing" the chamber, Sen. John Barrasso (R-Wyo.) said yesterday.

Asked about what might become of Waxman's legacy on energy, Barrasso nodded in the direction of his former climate bill partner, Sen. Ed Markey (D-Mass.), who stood nearby.

Markey said Waxman left him a voice mail Wednesday night to discuss the retirement that took some green activists by surprise. The duo did not connect in person until the morning of the retirement announcement, he added.

Asked whether he had advice for Waxman on next steps, Markey deferred to the Californian and his wife, Janet. "We sat next to each other for 37 years," said Markey, who was elected to the House two years after Waxman and won a special Senate election half a year ago.

Sen. James Inhofe (R-Okla.), an avowed skeptic of climate science, said he was glad to see Waxman go but uncertain about who would fill his seat representing a liberal district in Southern California (*see related story*).

"In that district, he's predictable," Inhofe said. "He's going to be replaced by another extreme liberal who may not be predictable. That could be bad."

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